

**Town of Clarence
Planning and Zoning**

Memo

To: Town Board Members

From: James Callahan, Director of Community Development

cc: Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

Date: June 5, 2015

Re: June 10, 2015 Town Board Meeting Agenda

Following is a review/analysis of the items listed on the June 10, 2015 Town Board Meeting:

PUBLIC HEARINGS:

1. ERIC LIPKE, 6595 MEGHAN ROSE WAY

Location: South of County Road.

Description/History: Existing Single Family Residence located within an Open Development.

Proposal: Applicant is requesting a Public Hearing to consider a Special Exception Use Permit for a detached Secondary Living Unit.

Master Plan: Area identified in an Agricultural Rural Residential Zone.

Reason for Town Board Action: The Town Board has final approval authority for Special Exception Use Permits.

Issues: The Building Department issued a permit for the construction of a detached accessory structure (garage space below, game room above). During the construction process, the second floor area took on characteristics of a Secondary Living Unit. The Building Department is holding the issuance of the final C/O until the Town Board grants the applicant a Special Exception Use Permit for a Secondary Living Unit.

2. PENNY LANE CAFÉ, 10255 MAIN STREET.

Location: Southeast corner of Main Street and Shisler Road within the Clarence Courtyard Plaza.

Description/History: Existing commercial space located in the Clarence Hollow TND.

Proposal: Applicant is proposing outside dining as a part of the restaurant use.

Master Plan: Area identified in the Clarence Hollow TND.

Reason for Town Board Action: Per the Zoning Law the town Board may consider outside dining areas via a Temporary Conditional Permit.

Issues: Number of tables and hours of operation.

FORMAL AGENDA ITEMS:

1. ZONING LAW AMENDMENT (CHAPTER 229)

The Planning Board has forwarded a recommendation to adopt the proposed Zoning Law Amendment adding small scale retail as a permitted use in mixed use projects in the Restricted Business Zone.

2. SATELLITE, ANTENNAS AND TOWERS LOCAL LAW AMENDMENT (CHAPTER 173)

The Planning Board has forwarded a recommendation to adopt the proposed Chapter 173 Amendment to add a section dealing with Wind Energy Conversion Systems (WECS).

WORK SESSION ITEMS:

1. HERITAGE MINISTRIES/VINECROFT SENIOR HOUSING, 5945 VINECROFT DRIVE.

Location: East side of Newhouse Road, south of Clarence Center Road.

Description/History: Existing senior housing facility located in a Planned Unit Residential development (PURD) and within Erie County Sewer District #5.

Proposal: applicant is proposing to construct two additional duplex structures (a total of 4 units) to the existing campus.

Master Plan: Area identified in a residential classification and within a previously approved PURD.

Reason for Town Board Action: Any change to an existing PURD will require review and approval by the Town Board.

Issues: The overall density within a PURD may not exceed 3 units per acre.